

**ZB# 05-69**

**Sam Iannolo, Jr.**

**33-1-23**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
VOID - sent to ZBA in ERROR  
11-28-05

05-69

SAM IANNOLO, JR. (33-1-23)  
5 ELIZABETH LANE (area)

PRELIMINARY MEETINGS:

SAM\_IANNOLO, \_JR.\_ (05-69)

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MR. KANE: Request for 23 ft. front yard setback for proposed deck at 5 Elizabeth Lane.

Mr. and Mrs. Sam Iannolo appeared before the board for this proposal.

MR. KANE: Tell us what you want to do. In New Windsor, the way we do it is we have two hearings, one's a preliminary hearing so that we can get an idea of what you want, make sure you have everything you need so that we can make the proper decision other towns you go in cold, if you don't have what you want, you lose. So what we do here tonight we'll do the same in a public hearing because that decision can only be made via a public hearing. So just tell us what you want to do.

MRS. IANNOLO: We want to put a deck off of the enclosed porch that we have that would go onto our driveway partially and that's it. Evidently, there's 50 feet that we need and we live 23 feet from a property line but there's an empty lot next door.

MR. KANE: Mike, are they here because this is a--is this a corner lot?

MRS. IANNOLO: Yes.

MR. KANE: So they have two front yards?

MR. BABCOCK: It's actually on a turn in the road, the road actually goes down and makes a turn so it develops a corner lot.

MR. KANE: Show me on that picture where you want to put the deck.

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MRS. IANNOLO: The deck is going to go the length of this enclosed porch and then around to the side, there's other pictures that I gave that shows, that are, yup, that's where we put the french doors where the deck is going to sit and it's just going to wrap around.

MR. KANE: So this portion here is considered the front yard?

MRS. IANNOLO: No, that's the back yard, there's other pictures that show it better, this right here, it's going to go the length of this and then into the corner here and the dimensions are on the plans that I submitted.

MR. BABCOCK: Mr. Chairman--

MR. KANE: Just doesn't look like it's in the front yard.

MR. BABCOCK: I have to correct that actually I thought they owned all the way out to Elizabeth Lane, they don't so that--

MR. KANE: That's why I'm a little confused, doesn't look like they need to be here.

MR. BABCOCK: Facing your house standing on Elizabeth Lane to the left-hand side is where they're talking about?

MR. KANE: Right, just right out to the driveway and back.

MR. BABCOCK: Right.

MR. KANE: So it's the side, it's not a front.

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MR. BABCOCK: Right.

MR. KANE: And let's going back to the back, so this is your makeshift drawing and from where the edge of the deck is going to be it's you're saying you have 44 feet to the property line, is that what this is and 50 feet to the house?

MRS. IANNOLO: No, I put that there because that was what you guys were saying was needed, not knowing the exact measurements until after the fact.

MR. BABCOCK: Mr. Chairman, I have a survey here enclosed porch see the diagram that says enclosed porch that's 28.2 feet from the property line, they want to go beyond that 6 feet so they would be 22 feet off the property line.

MR. KANE: And the side property line is 12?

MR. BABCOCK: In this zone I don't think so, I think it's 20, Mr. Chairman, so it appears they don't need to be here.

MR. KANE: That's what I'm saying.

MRS. IANNOLO: That's good news but bad news because we're waiting all these months to get this done now we can't do anything.

MR. KANE: Just the way I'm looking at it just didn't seem like the front yard to me. Let's make sure, let's doublecheck, how far out now you have, you're coming out these doors here and you have a deck here?

MRS. IANNONO: Six feet.

MR. KANE: About how wide is the deck going to be and how much space do you have from the end of the proposed deck to the property line?

MRS. IANNOLO: That side of the deck is only going to be six feet wide.

MR. KANE: How far from the end of the deck to your property line?

MRS. IANNOLO: Twenty-two feet.

MR. BABCOCK: Well, the numbers that they put I'm not sure whether they put the numbers on this plan or not but the numbers on this plan are not right, that's where the problem is, I don't understand quite honestly.

MRS. IANNOLO: From my makeshift drawing you mean?

MR. BABCOCK: Yeah but Mr. Chairman they don't need to be here.

MRS. IANNONO: So what do we do at this point then, the permit will be issued and we're done?

MR. BABCOCK: Yes.

MRS. IANNOLO: So the variance and all those letters don't have to be mailed or anything?

MR. BABCOCK: No.

MR. KANE: Time to go home and watch some football.

MR. BABCOCK: Are you coming out to the front anymore?

MRS. IANNOLO: No.

MS. MASON: Maybe they thought it was a corner lot.

MR. BABCOCK: I did too honestly thought, I haven't looked at this plan, I don't know who you were working

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with, you were working with Frank.

MR. IANNOLO: We were told we had to be 50 feet from our porch to the property line.

MR. BABCOCK: Well because Elizabeth Lane goes around they thought you owned all the way out to Elizabeth Lane.

MR. KANE: See when you're on a corner property in New York State you have two front yards and that's originally when I look at it because you have the bend and that's probably where they got confused thinking that you have two front yards then yes those dimensions would be needed to put the deck up, that's not the case, your property isn't even on a curve, there's another piece of property so you've got one front yard and time to go home.

MRS. IANNOLO: So what's going to happen now, am I going to get a letter confirming this conversation?

MR. BABCOCK: We'll get you a building permit then we'll get your money back for whatever.

MR. KANE: Thank you. That's why we have preliminaries.

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: August 17, 2005**

**APPLICANT: Sam Iannolo Jr.  
5 Elizabeth Lane  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/10/05**

**FOR : Proposed deck**

**LOCATED AT: 5 Elizabeth Lane**

**ZONE: R-3 Sec/Blk/ Lot: 33-1-23**

**COPY**

**DESCRIPTION OF EXISTING SITE: Existing one-family house**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. Proposed deck will not meet minimum front-yard setback.**

  
**BUILDING INSPECTOR**



PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-3    USE:    Bulk Tables 6-E

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

45'

22'

23'

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED  
AUG 10 2005  
BUILDING DEPARTMENT  
**FOR OFFICE USE ONLY:**  
Building Permit # 1A2005-842

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises SAM IANNOLO JR

Address 5 ELIZABETH LANE Phone # 567-3514

Mailing Address Same Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the SOUTH side of ELIZABETH LANE  
(N, S, E or W)  
and APPOX 1000 feet from the intersection of MT. AIRY / BETHLEHEM RD

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N ✓

3. Tax Map Description: Section 33 Block 1 Lot 23

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? YES

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each \_\_\_\_\_

**ZONING BOARD**

10. Estimated cost \_\_\_\_\_ Fee \$ 650

\_\_\_\_\_  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4818  
(845) 563-4895 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

x [Signature]  
(Signature of Applicant)

5 Elizabeth Lane New Windsor  
(Address of Applicant)

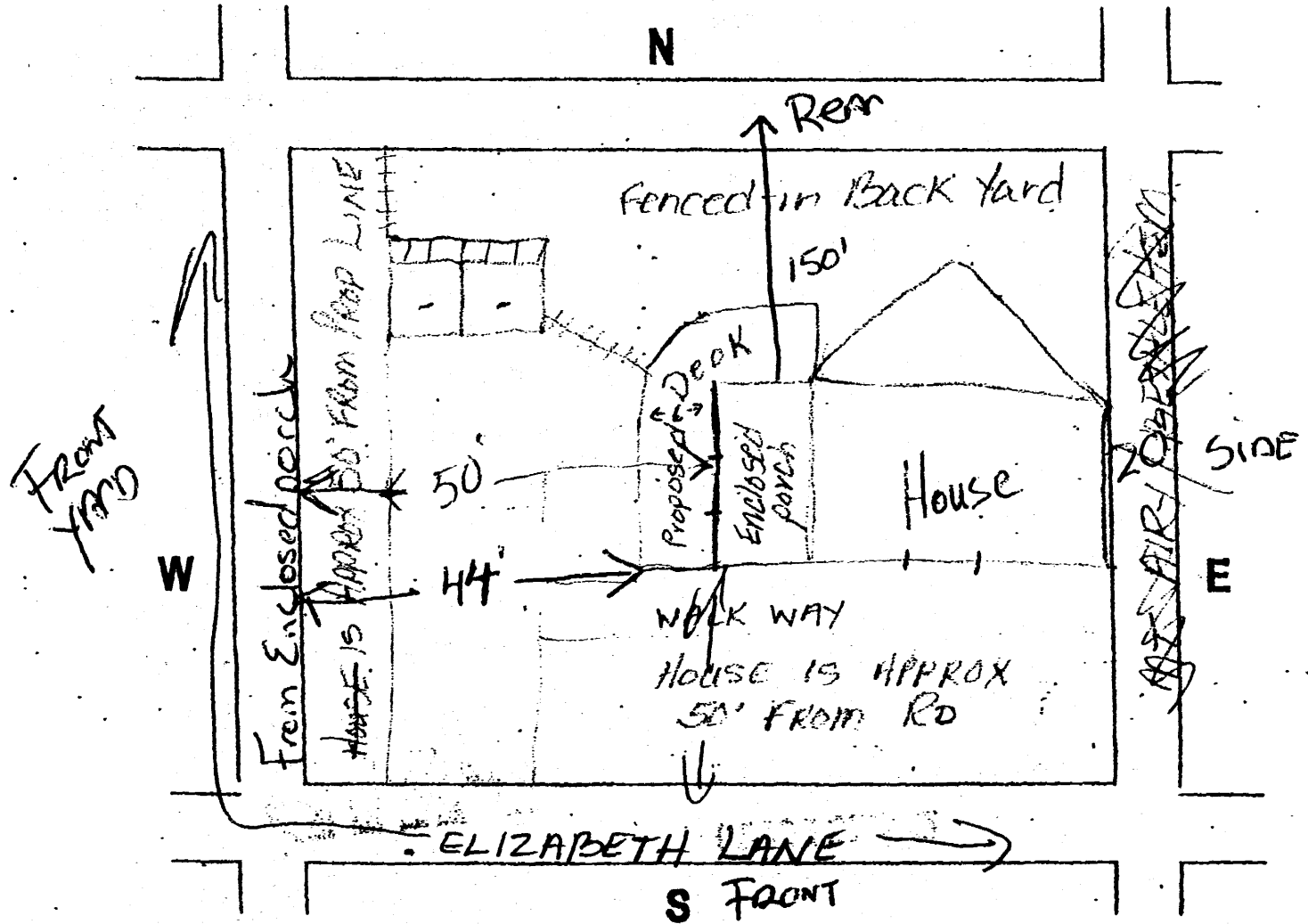
x [Signature]  
(Owner's Signature)

Same

# PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



# CERTIFICATION

"I hereby certify that this map is based on an actual field survey completed by me on October 29, 1996, and in my professional opinion is accurate to the best of my knowledge and belief."

Certified only to the parties listed below:

Sam Iannolo, Jr.,  
Hardenburgh Abstract Company of Orange County, Inc.,  
State of New York Mortgage Agency,  
The Warwick Savings Bank, ISOA c/o Warwick Savings Bank  
18 Oakland Avenue, Warwick, New York 10990

*JM Robert, PLS*

Joseph M. Robert, PLS N.Y. Lic. No. 49821

DEED REF. : Deed Liber 1554, Page 581

TAX MAP REF. : Section 33, Block 1, Lot 23

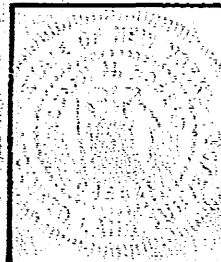
AREA : 14,072 Sq. Ft. or 0.323 of an Acre.

## GENERAL NOTES

1. Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Land Professional Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.
2. Subject to underground utilities and easements not recorded and/or not visible at the time of the field survey.
3. Offsets shown hereon are correct, however, they should not be used as a basis for erection of fences or other structures.

REPRODUCTIONS OF THE MAP ARE VALID ONLY IF THEY BEAR THE IMPRESSION SEAL OF THE PROFESSIONAL WHOSE SIGNATURE APPEARS HEREON.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW



**J.M. ROBERT, PLS**

Professional Land Surveyor

50 Ryerson Road  
New Hampton, New York 10958  
(914) 374-2721 tele & fax

## Survey & Building Location

of lands to be conveyed to

**Sam Iannolo, Jr.**

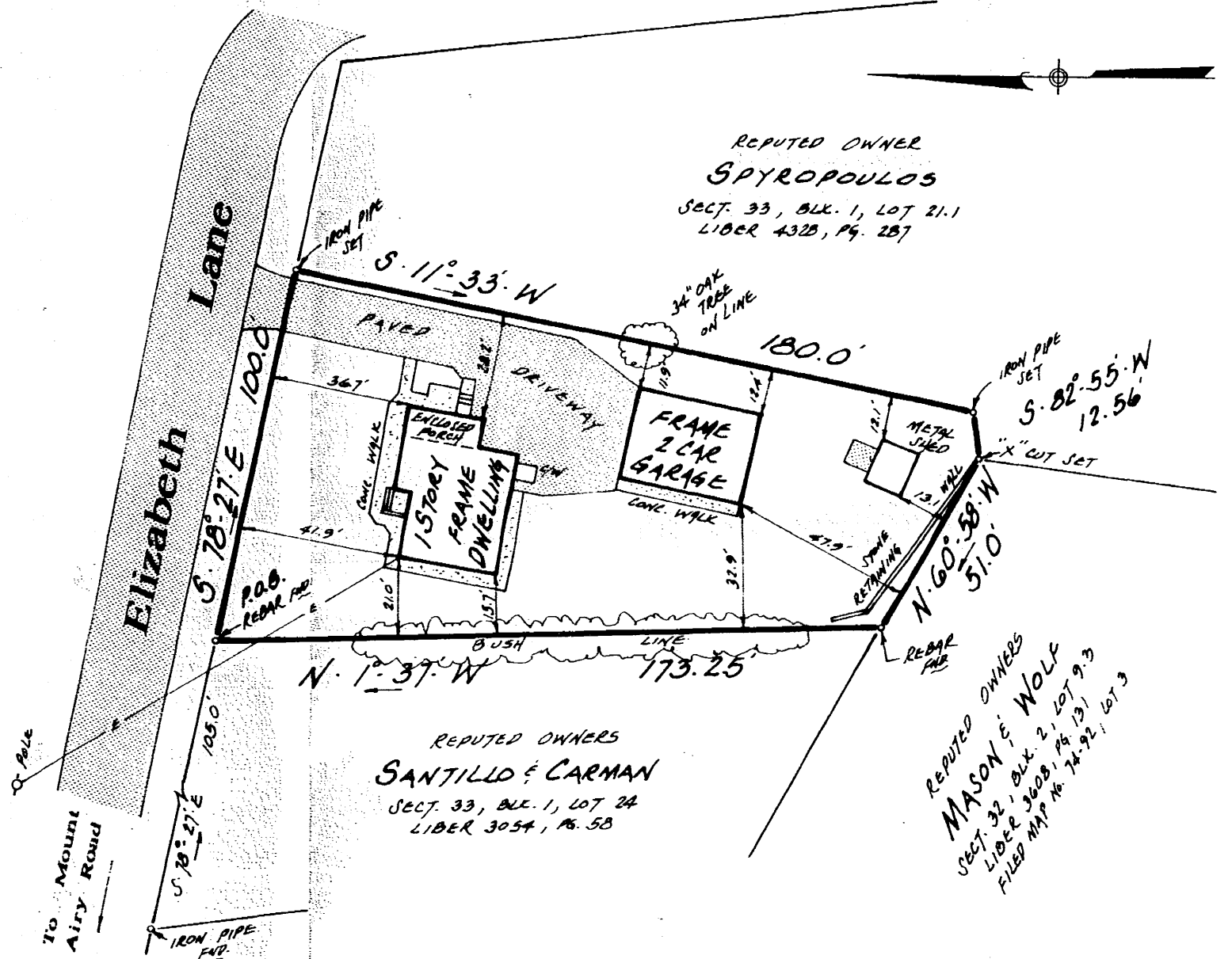
5 Elizabeth Lane, Town of New Windsor  
Orange County, New York

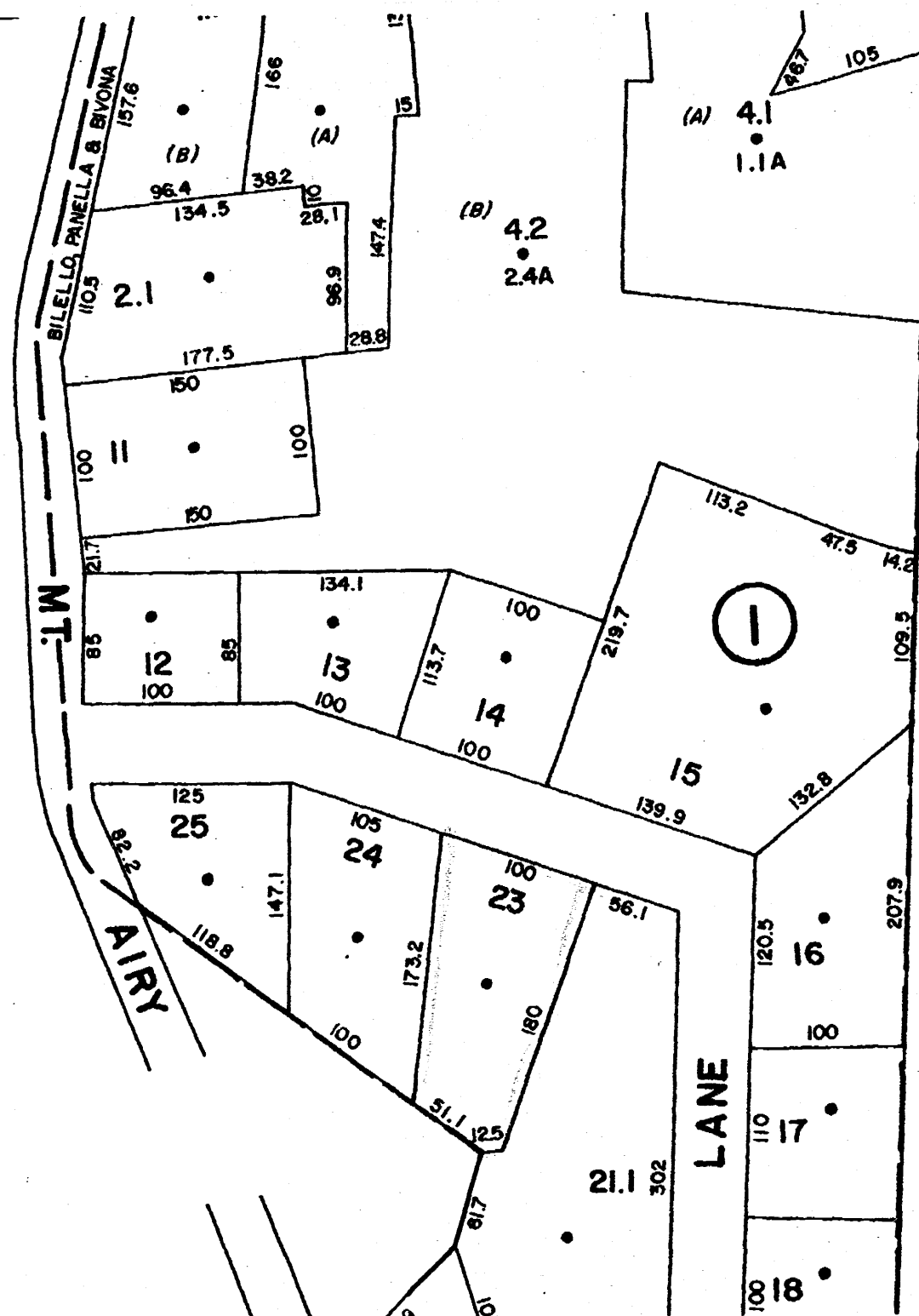
Proj. No. 96279

Scale 1" = 30'

Date 4 Nov. '96

Revised

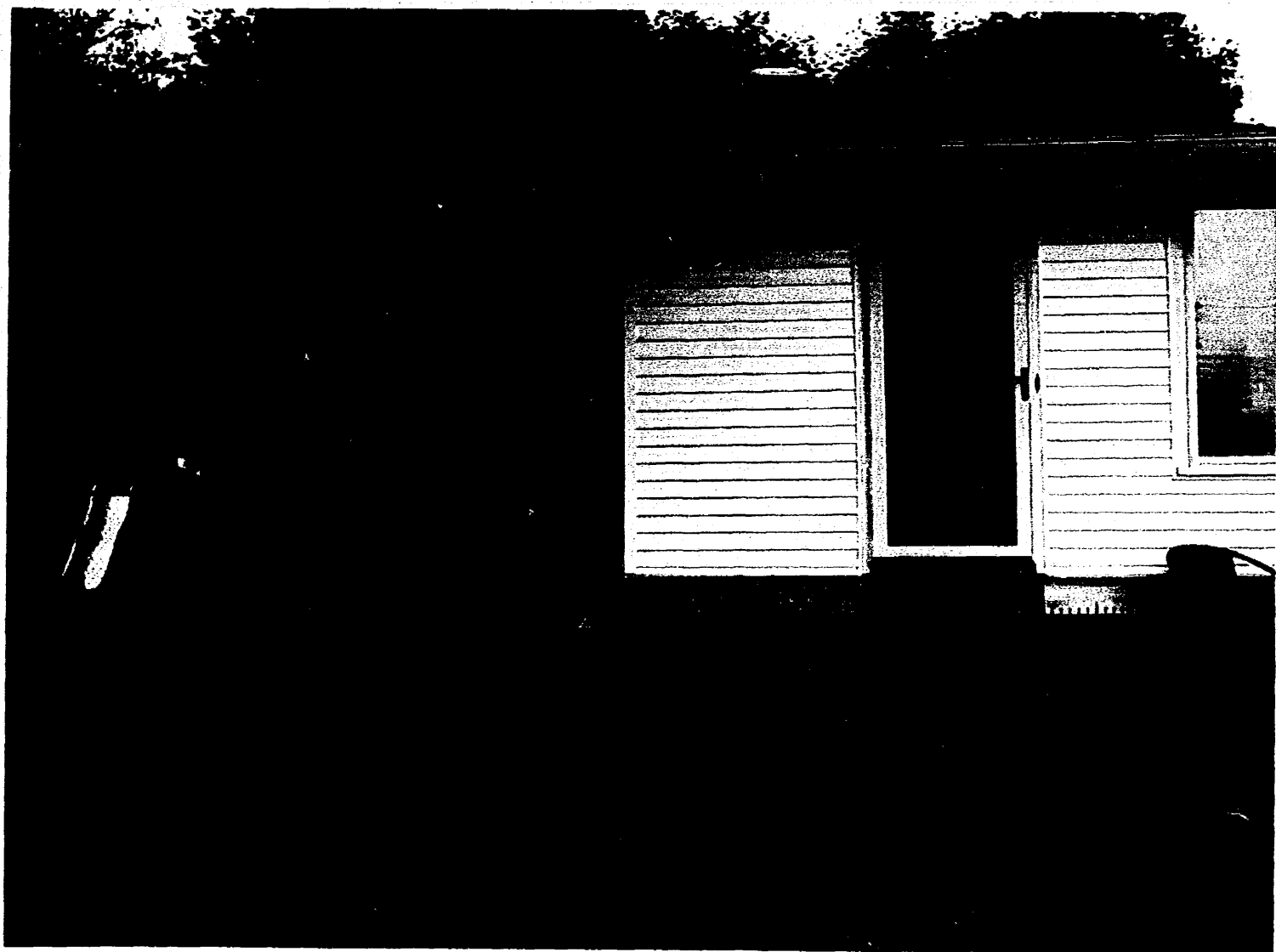


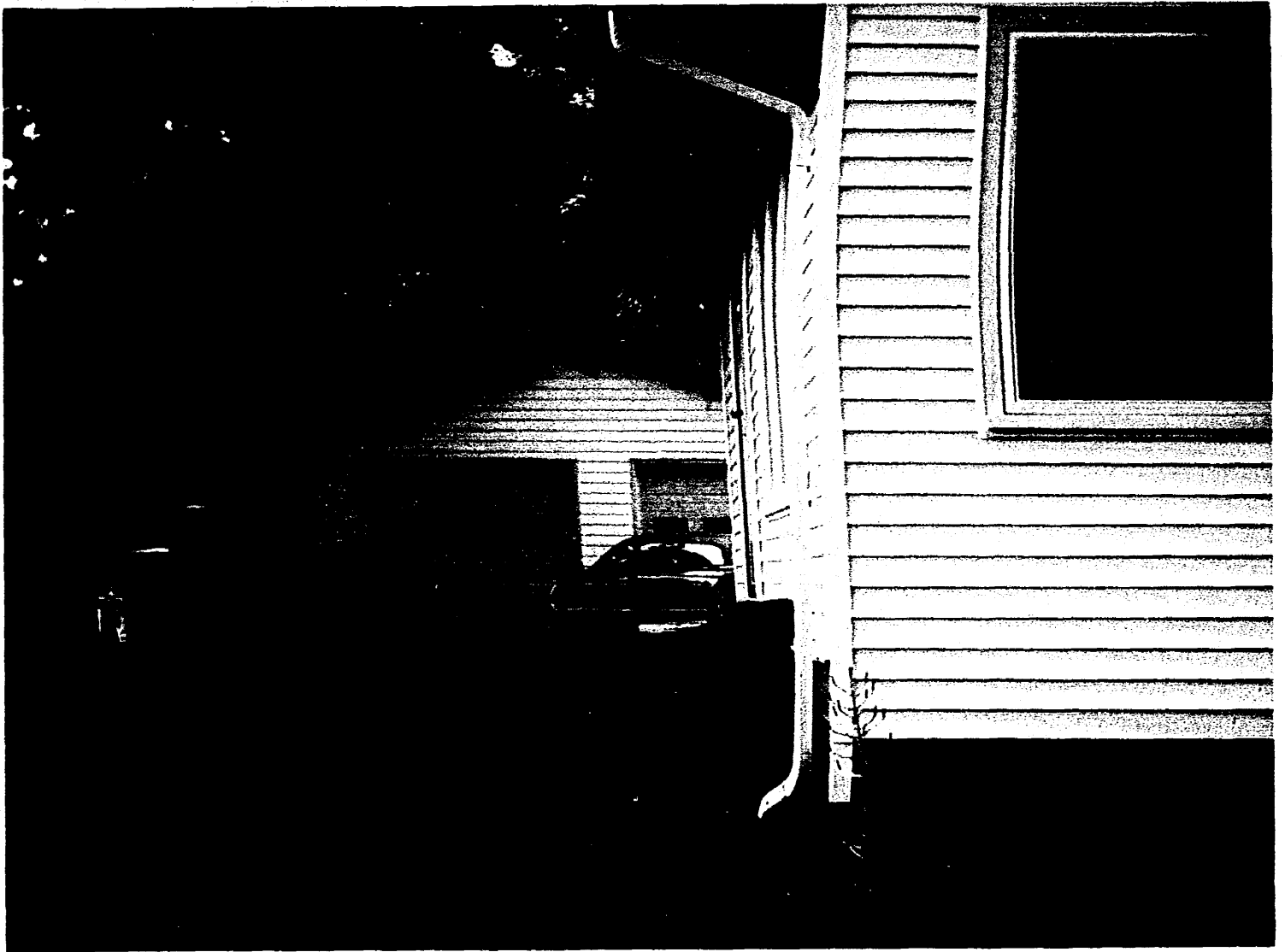


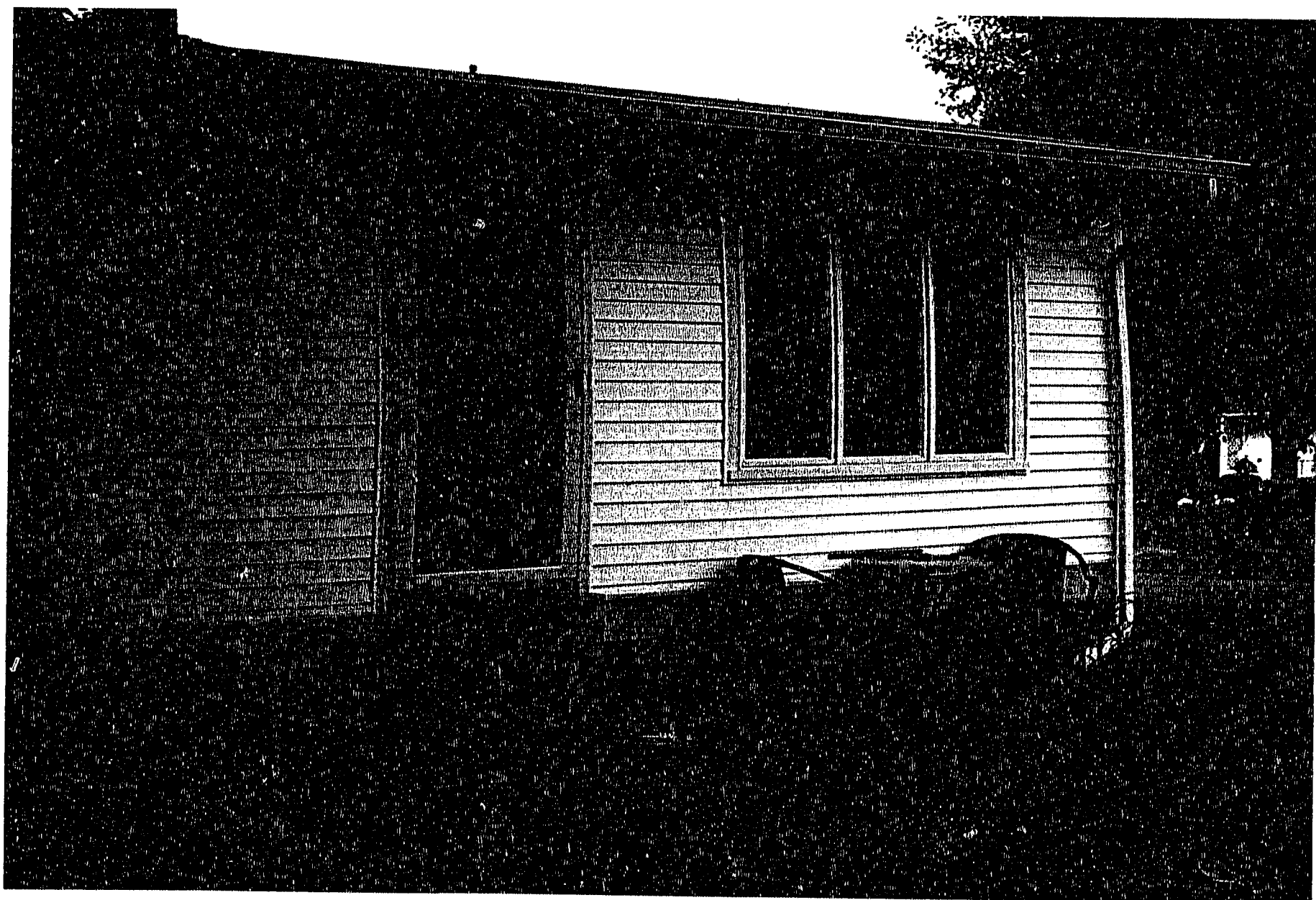












Date 11/28/05

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO Sam + Joanne Iannolo DR.  
5 Elizabeth Lane New Windsor

DATE			CLAIMED		ALLOWED	
		Sam + Joanne Iannolo				
		Variance Not Needed				
		<i>Iannolo</i>				
11	4	Received CK# 4724 Application fee	50	00		
		Received CK# 4723 Encrow (Receipt Attached)	300	00		
		Received CK# 4725 Assessor's List	25	00		
					375	00

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 11-02-05

FOR: 05-69 ESCROW

FROM:

**Sam Iannolo, Jr.**  
**5 Elizabeth Lane**  
**New Windsor, NY 12553**

CHECK NUMBER: 4723

TELEPHONE: 567-3514

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

November 8, 2005

Sam Iannolo, Jr.  
5 Elizabeth Lane  
New Windsor, NY 12553

Re: 33-1-23

ZBA#: 05-69 (27)

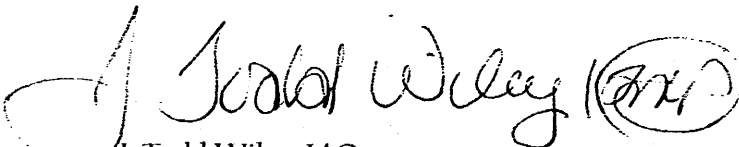
Dear Mr. Iannolo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

  
J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

32-2-8

Kaboom Realty, LLC  
470 Little Britain Road  
Newburgh, NY 12550

32-2-10.3 & 10.42

Peter & Sophia Karnavezos  
150 Mt. Airy Road  
New Windsor, NY 12553

33-1-1.2, 3.2 & 4.2

Cosimo DiBrizzi  
1089 Little Britain Road  
New Windsor, NY 12553

33-1-9

Park, Fly & Drive, Inc.  
P.O. Box 247  
Vails Gate, NY 12584

33-1-13

Dalila Christoforidis  
1531 Sword Dancer Drive  
Virginia Beach, VA 23454

33-1-16

Donna Czepiel  
8 Elizabeth Lane  
New Windsor, NY 12553

33-1-19

Patricia Domlavage  
AKA Mary Domlavage  
14 Elizabeth Lane  
New Windsor, NY 12553

33-1-21.2

Carol Owen  
18 Elizabeth Lane  
New Windsor, NY 12553

33-1-25

Paul & Angela Barbero  
1 Elizabeth Lane  
New Windsor, NY 12553

32-2-9.1

Herbert Mason  
120 Mt. Airy Road  
New Windsor, NY 12553

32-2-13

Silver Stream, Inc.  
400 BeMar Drive  
Stony Point, NY 10980

33-1-2.1

DiBrizzi Family Realty, Inc.  
647 Little Britain Road  
New Windsor, NY 12553

33-1-11

Donald Ayers  
Donna Covello  
111 Mt. Airy Road  
New Windsor, NY 12553

33-1-14

David Ogden  
4 Elizabeth Lane  
New Windsor, NY 12553

33-1-17

John & Livia Connaughton  
10 Elizabeth Lane  
New Windsor, NY 12553

33-1-20

Rickie & Eileen Yankow  
16 Elizabeth Lane  
New Windsor, NY 12553

33-1-22

Anthony & Rose Fermaintt  
137 Mt. Airy Road  
New Windsor, NY 12553

33-1-26

Danielle Scheer  
9 Elizabeth Lane  
New Windsor, NY 12553

32-2-9.2 & 9.3

Herbert Mason  
Barbara Mason Wolf  
120 Mt. Airy Road  
New Windsor, NY 12553

32-2-80

Sisters of the Presentation of  
Blessed Virgin, Inc.  
880 Jackson Avenue  
New Windsor, NY 12553

33-1-4.1

Lo-Rac Fuel Corp.  
1083 Little Britain Road  
New Windsor, NY 12553

33-1-12

Daniel & Kim Marshall  
7 Poplar Street  
Cornwall, NY 12518

33-1-15

John & Karen McDermott  
6 Elizabeth Lane  
New Windsor, NY 12553

33-1-18

Christine & Jodi Owen  
12 Elizabeth Lane  
New Windsor, NY 12553

33-1-21.1

Theoharis Spyropoulos  
Bernadette Spyropoulos  
7 Elizabeth Lane  
New Windsor, NY 12553

33-1-24

Douglas & Joann Carey  
3 Elizabeth Lane  
New Windsor, NY 12553

33-1-27

Gregory & Colleen Morris  
11 Elizabeth Lane  
New Windsor, NY 12553



RESULTS OF Z.B.A. MEETING OF: November 1, 2005

PROJECT: Sam Cannolo Jr. ZBA # 05-69  
P.B.#

P.B.# \_\_\_\_\_

**USE VARIANCE:      NEED: EAF      PROXY**

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_ N\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ **VOTE:** A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
 LOCEY \_\_\_\_\_  
 BROWN \_\_\_\_\_  
 McDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
 REIS \_\_\_\_\_  
 KANE \_\_\_\_\_

APPROVED: M)    S)    VOTE: A    N   

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M) 4 S) 0 VOTE: A 4 N 0

~~LOCEY~~  
LOCEY  
BROWN  
~~MCDONALD~~  
REIS  
KANE

CARRIED: Y ✓ N       

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_.

**GANN**  
**LOCEY**  
**BROWN**  
**MC DONALD**  
**REIS**  
**KANE**

**CARRIED: Y\_\_\_\_\_N\_\_\_\_\_.**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

### WHAT TO DO NEXT.....

The Zoning Board of Appeals has just authorized a Public Hearing for your case.

If you have already picked up your copy of the Assessor's List and given the addressed envelopes to me, you need not do anything further at this time. If anything else is required, I will contact you...

..... OR .....

If the Assessor's Office has not already contacted you to come in and pick up the Public Hearing List and pay the balance due for the list (**see sample chart of cost for list below**), they will call you as soon as the list is complete. This list will be prepared on labels for your convenience. Once you pick up the list.....

You will then need to:

1. **PREPARE AN ENVELOPE** (self-sealing envelopes are much appreciated) **FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.**

### NOTE:

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

Myra Mason,  
Secretary to the ZBA

### PLEASE NOTE:

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

#### APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #05-69

TYPE: AREA

TELEPHONE: 567-3514

**APPLICANT:**

Sam Iannolo, Jr.

5 Elizabeth Lane

New Windsor, NY 12553

RESIDENTIAL:

\$ 50.00

CHECK # 4724

COMMERCIAL

\$ 150.00

CHECK # \_\_\_\_\_

INTERPRETATION

\$ 150.00

CHECK # \_\_\_\_\_

ESCROW:

RESIDENTIAL \$300.00

CHECK # 4723

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**DISBURSEMENTS:**

MINUTES      ATTORNEY  
\$5.50 / PAGE      FEE

PRELIMINARY:

— PAGES

\$ \_\_\_\_\_

\$ \_\_\_\_\_

2<sup>ND</sup> PRELIMINARY:

— PAGES

\$ \_\_\_\_\_

\$ \_\_\_\_\_

PUBLIC HEARING:

— PAGES

\$ \_\_\_\_\_

\$ \_\_\_\_\_

PUBLIC HEARING:

— PAGES

\$ \_\_\_\_\_

\$ \_\_\_\_\_

LEGAL AD: Publish Date:

\$ \_\_\_\_\_

TOTAL:

\$ \_\_\_\_\_

\$ \_\_\_\_\_

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ESCROW POSTED:

\$ 300.00

LESS: DISBURSEMENTS:

\$ \_\_\_\_\_

AMOUNT DUE:

\$ \_\_\_\_\_

REFUND DUE:

\$ \_\_\_\_\_

Cc:

L.R. \_\_\_\_\_

*ZBA # 05-69 Applicant Fee*

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#1060-2005**

11/04/2005

Iannolo, Joanne

Received \$ 50.00 for Zoning Board Fees, on 11/04/2005. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

November 2, 2005

Sam Iannolo, Jr.  
5 Elizabeth Lane  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-69

Dear Mr. Iannolo:

This letter is to inform you that you have been placed on the November 14<sup>th</sup>, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

5 Elizabeth Lane  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



05-69



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

9/21/05  
Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

Phone Number: (845) 567-3514  
Fax Number: ( )  
SAM IANNOLO JR.  
(Name)  
5 ELIZABETH LANE NEW WINDSOR NY 12553  
(Address)

**II. Applicant:**

SAME  
(Name) Phone Number: ( )  
Fax Number: ( )  
(Address)

**III. Forwarding Address, if any, for return of escrow:**

Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number ( )  
Fax Number: ( )  
(Name)  
(Address)

**V. Property Information:**

Zone: R-3 Property Address in Question: 5 ELIZABETH LANE  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 33 Block 1 Lot 23  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? 11/1996  
d. Has property been subdivided previously? No If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? No  
f. Is there any outside storage at the property now or is any proposed? Yes

\*\*\*\*PLEASE NOTE:\*\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	45	22	23
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

THE ZBA SHOULD GRANT THIS  
APPLICATION FOR AN AREA VARIANCE BECAUSE IN NO WAY  
WOULD IT BE A DANGER OR INCONVENIENCE TO THE  
COMMUNITY OR NEIGHBORHOOD. WE WOULD LIKE TO ENJOY  
A DECK AND ADD BEAUTY AND VALUE TO OUR HOME.

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**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
  
- ☐ Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

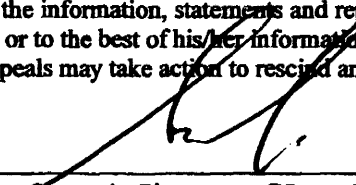
) SS.:

COUNTY OF ORANGE )


The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

27<sup>th</sup> day of September 2005

  
\_\_\_\_\_  
Owner's Signature (Notarized)

\_\_\_\_\_  
Owner's Name (Please Print)

  
\_\_\_\_\_  
Signature and Stamp of Notary MARY BETH GREENE-KRAFFT  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ORANGE COUNTY  
COMMISSION EXPIRES 7/22/2009  
NOTARY LICENSE # 01684300353

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

### **RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$ 50.00  
\*ESCROW: \$300.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

### **MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

### **COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

### **INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

\*

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

### **NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

### **NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**